



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು
ವಿಶೇಷ ರಾಜ್ಯ ಪತ್ರಿಕೆ

ಭಾಗ - ೪ಎ Part - IVA	ಬೆಂಗಳೂರು, ಬುಧವಾರ, ೦೭, ಸೆಪ್ಟೆಂಬರ್, ೨೦೨೨(ಭಾದ್ರಪದ, ೧೬, ಶಕವರ್ಷ, ೧೯೪೪) BENGALURU, WEDNESDAY, 07, SEPTEMBER, 2022(BHADRAPADA, 16, SHAKAVARSHA, 1944)	ನಂ. ೪೪೧ No. 441
------------------------	---	--------------------

GOVERNMENT OF KARNATAKA

No. HD 176 PoSiAa 2017

Karnataka Government Secretariat
Vidhana Soudha,
Bengaluru, Dated:07.09.2022

NOTIFICATION

The draft of the following rules further to amend the Karnataka State Police (Disciplinary Proceedings) Rules 1965, which the Government of Karnataka proposes to make in exercise of the powers conferred by sub-section (1) of section 3 read with section 8 of the Karnataka State Civil Services Act, 1978 (Karnataka Act 14 of 1990) is hereby published as required by clause (a) of sub-section (2) of section 3 of the said Act, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration after fifteen days from the date of its publication in the Official Gazette.

Any objection or suggestion, which may be received by the State Government from any person in respect to the said draft before the expiry of the period specified above will be considered by the State Government. Objections and suggestions may be addressed to the Additional Chief Secretary to Government, Home Department, Vidhana Soudha, Bengaluru-560 001.

DRAFT RULES

- Title and commencement:-** (1) These rules may be called the Karnataka State Police (Disciplinary Proceedings) (Amendment) Rules, 2022.

(2) They shall come into force from the date of their final publication in the Official Gazette

2. Amendment of rule 2:- In the Karnataka State Police (Disciplinary Proceedings) Rules, 1965 (hereinafter referred to as the said rules) in rule 2,-

- (i) In clause (a), after the words, figures and brackets “the Karnataka Police Act, 1963 (Karnataka Act 04 of 1964)” the words, figures and brackets “and the Karnataka Civil Service Act, 1978 (Karnataka Act 14 of 1990)” shall be inserted;
- (ii) In clause (b), for the words, figures and brackets “under sub-section (1) of section 25” the words, figures, brackets and letter “under rule 4” shall be substituted;
- (iii) In clause (e),
 - (a) for the word and figures “Section 23” the words, figures, and letter “rule 4A” shall be substituted;
 - (b) for the words, figures and brackets “sub-section (1)” of section 23 the words, figures and letter “rule 4A” shall be substituted;

3. Amendment of rule 3:- In rule 3 of the said rules for the words “of the Act” the words “of the Karnataka Police Act, 1963” shall be substituted.

4. Amendment of rule 4:- In rule 4 of the said rules for the words and figures “sub-section (1) of section 23” the word and figure “rule 4” shall be substituted.

5. Insertion of rule 4A, 4B and 4C:- After rule 4, of the said rules the following shall be inserted, namely:-

“4A Disciplinary penalties:- (1) the Government and any prescribed officer may subject to such conditions and restrictions, impose on any member of the Police Force who in the opinion of the Government or the prescribed officer is cruel, perverse, remiss or negligent in the discharge of his duty or unfit for being a member of the Police force or guilty of any breach of discipline or misconduct or for any other sufficient reason, the following penalties, namely:-

- (a) (i). Censure;
- (ii). Withholding of increments or promotion;
- (iii) Recovery from pay of the whole or part of any pecuniary loss caused by negligence or breach of orders to the State Government or to the Central

Government, any other State Government, any person, body or authority, to whom the services of the officer had been lent;

- (b)(i) Reduction to a lower service, grade or post, or to a lower time scale; or to a lower stage in a time scale temporary or permanently;
 - (ii) Compulsory retirement;
 - (iii) Removal from service without disqualification for future employment;
 - (iv) Dismissal from service with disqualification for future employment;
- (c)(i) Entry of a black mark against his name in prescribed manner;
 - (ii) Punishment drill;
 - (iii) Extra guard, fatigue or other duty;
 - (iv) Fine;

Provided that, the penalties specified in clause (c) shall not be imposed on any officer of or above the rank of a Sub-Inspector:

Provided further that, the following shall not amount to a penalty within the meaning of this rule:-

- (i) Withholding of increments of a Police officer for failure to pass a departmental examination in accordance with the rules or orders governing the service or post or the terms of his appointment.
- (ii) Stoppage of a police officer at the efficiency bar in the time-scale on the ground of his unfitness to cross the bar;
- (iii) Non-promotion, in a substantive capacity, of a police officer, after consideration of his case, to a class, grade or post for promotion to which he is eligible;
- (iv) Reversion to a lower class, grade or post of a Police Officer in a higher class, grade or post on the ground that he is considered, after trial to be unsuitable for such higher class, grade or post or on administrative grounds unconnected with his conduct (such as the return of the permanent incumbent from leave or deputation availability of a more suitable officer and the like);
- (v) Reversion to his permanent class, grade or post of a Police Officer appointed on probation to another class, grade or post during or at the end of the period of probation in accordance with the terms of his appointment or the rules and orders governing probation;
- (vi) Compulsory retirement of a police officer in accordance with the provisions relating to his superannuation or retirement;
- (vii) Termination of the service:-
 - (a) Of a person employed under an agreement, in accordance with the terms of such agreement; or

- (b) Of a person appointed, otherwise than under an agreement, to hold a temporary appointment on the expiration of the period of the appointment.

(2) Nothing in sub-rule(1) shall,-

- (a) Affect any liability of a Police Officer to a criminal prosecution for any offence with which he may be charged;
- (b) Entitle any authority subordinate to that by which the Police Officer was appointed, to compulsorily retire, remove or dismiss him; or
- (c) Apply to any member of the Indian Police and the Indian Police Service.

4B Procedure to be observed in awarding punishment:- When any order of punishment has to be passed against a Police Officer under rule 4A(1) such procedure as may be specified by rules shall be followed;

Provided that, no order for reducing, removing or dismissing a Police Officer shall be passed except in accordance with the provision of Article 311 of the Constitution.

4C Appeals and revision:- (1) An appeal against any order passed against a police officer under rule 4A shall lie to the Government or to such officer as the Government may by general or special order specify:

Provided that, no appeal shall lie in case the penalties imposed are those specified in sub-clauses (ii) and (iii) of clause (a) of sub-rule (1) of rule 4A.

(2) The Government may suo motu or otherwise after calling for the records of the case revise any order under rule 4A passed by the Inspector General or any officer subordinate to him, and –

- (a) Confirm, modify or set aside the order;
- (b) Impose any penalty or set aside, reduce, confirm or enhance the penalty imposed by the order;
- (c) Remit the case to the authority which made the order or to any other authority directing such further action or inquiry as it considers proper in the circumstances of the case; or
- (d) Pass such other orders as it deems fit;

Provided that –

- (i) An order imposing or enhancing a penalty shall not be passed unless the person concerned has been given an opportunity of making any representation which he may wish to make against such enhanced penalty;

- (ii) If the Government proposes to impose any of the penalties specified in a clauses (i) to (iv) of sub-clause(b) of sub-rule (1) of rule 4A in a case where an inquiry has not been held, it shall direct that such inquiry be held and thereafter on consideration of the proceedings of such inquiry and after giving the person concerned an opportunity of making any representation which he may wish to make against such penalty, pass such orders as it may deem fit.

6. Amendment of rule 5:- In rule 5 of the said rules, in sub-rule (3), the words and figures “section 25” the word figures, brackets and letter “rule 4C” shall be substituted.

7. Amendment of rule 6:- In rule 6 of the said rules,-

- (i) In sub-rule (1), for the words, Punctuation, figures and brackets “sub-clauses (i), (ii), (iii), or (iv) of clause (b) of sub-section (1) of section 23” the words, punctuations, figures, brackets and letter “sub-clauses (i), (ii), (iii) or (iv) of clause (b) of sub-rule (1) of rule 4A” Shall be substituted.
- (ii) In sub-rule(2), in explanation, the words, figures and brackets “clause (a) and of sub-section (1) of section 23” the words, figures, brackets and letter “sub-rule (1) of rule 4A” shall be substituted.
- (iii) In clause (c) of sub-rule (9) for the word and figures “section 23” the word figure and letter “rule 4A” shall be substituted.
- (iv) In sub-rule (10) for the words, figures and brackets “sub clause (i) to (iv) of clause (b) of sub-section (1) of section 23” the words, figures, brackets and letter “sub clause (i) to (iv) of clause (b) of sub-rule(1) of rule 4A shall be substituted.
- (v) In sub-rule(12), for the words, figures and brackets “sub-clause (i) to (iv) of clause (a) of sub-section (1) of section 23” the words, figures, brackets and letter “sub-clause ((i) to (iii) of clause (a) of sub-rule (1) of rule 4A” shall be substituted.

8. Amendment of rule 7:- In rule 7 of the said rules,-

- (i) In sub-rule(1), for the words, figures, brackets and letter “sub-clauses (i) to (iii) of clause (a) or sub-clauses (i) and (iv) or clause (c) of sub-section (1) of section 23” the words figures, brackets and letter “sub-clause (i) to (vi) of clause (a) or sub-clauses (i) and (iv) of clause (c) of sub-rule (1) of rule 4A” shall be substituted.
- (ii) In sub-rule (3), for the words, figures, brackets and letter “sub-clauses (ii) and (iii) of clause (c) of sub-section (1) of section 23” the words, figures,

brackets and letter “sub-clauses (ii) and (iii) of clause (c) of sub-rule (1) of rule 4A” shall be substituted.

9. Amendment of rule 10:- in rule 10 of the said rules,-

- (i) In sub-rule (2), in clause (i) for the words, figures and brackets ‘sub-clauses (i) to (iv) of clause (a) or sub-clause (i) to (iv) of clause (c) of sub-section (1) of section 23” the words, figures, brackets and letter “sub-clauses (i) to (iii) of clause (a) or sub-clauses (i) to (iv) of clause (c) of sub-rule (1) of rule 4A” shall be substituted.
- (ii) In sub-rule (2) in clause (ii) for the words, figures and brackets “sub-clauses (i) to (iv) of clause (b) of sub-section (1) of section 23” the words, figures, brackets and letter “sub-clauses (i) to (iv) of clause (b) of sub-rule(1) of rule 4A’ shall be substituted.

10. Amendment of rule 11:- In rule 11 of the said rules, for the word and figures, “section 25”, the word and figure “rule 4C” shall be substituted.

11. Amendment of rule 13:- In rule 13 of the said rules, in sub-rule (3), for the words and figures “section 23”, the word, figure and letter “rule 4A” shall be substituted.

12. Substitution of Schedule:- For the Schedule of the said rules the following Schedule shall be substituted namely:-

By order and in the name of the
Governor of Karnataka,

(BANADARANGAIAH N.R)
Under Secretary to Government,
Department of Home (Police Services-B)

“SCHEDULE”
(See rule 2(f))

SL. No.	Class of Posts	Authority empowered to appointment	Authority empowered to impose penalties and penalties which he may impose	Penalties (See rule 4A)	Appellate Authority
1	2	3	4	5	6
1	Officer of the rank of Superintendent of Police including Commandant, Mounted Company including KSRP / KSISF	Government	Government	(a) (i) to (iii) and (b) (i) to (iv)	Government
2	Officer of the rank of Deputy Superintendent of Police / Assistant Commandant / KSRP & KSISF	Government	Director General & Inspector General of Police Government	(a) (i) to (ii) (a) (iii) (b) (i) to (iv)	Government
3	Officer of the rank of Inspectors of Police including KSRP & KSISF	Officers of the rank of Inspector General of Police / Deputy Inspector General of Police	(i) The concerned Officer of the rank of Superintendent of Police to whom the Police Officer is subordinate at the time of taking action under these rules (ii) The concerned Officer of the rank of Inspector General of Police / Deputy	(a) (i) to(iii) (b) (i) to (iv)	Inspector General of Police / Deputy Inspector General of Police DG & IGP / IGP

			Inspector General of Police to whom the Police Officer is subordinate at the time of taking action under these rules		
4	Officer of the rank of Sub-Inspector of Police including KSRP / KSISF / Senior Radio Mechanic of Police Wireless / Intelligence Officer in Intelligence / Detective Sub-Inspector in CID.	Officers of the rank of Inspector General of Police / Deputy Inspector General of Police	<p>(i) The concerned Officer of the rank of Superintendent of Police / Commandant / DCP / Commissioner to whom the Police Officer is subordinate at the time of taking action under these rules</p> <p>(ii) The concerned Officer of the rank of Inspector General of Police / Deputy Inspector General of Police / Commissioner to whom the Police Officer is subordinate at the time of taking action under these rules</p>	<p>(a) (i) to (iii)</p> <p>(b) (i) to (iv)</p>	<p>Inspector General of Police / Deputy Inspector General of Police / Commissioner / DG & IGP</p> <p>DG & IGP / IGP</p>

5	Officer of the rank of Assistant Sub-Inspector of Police / Assistant Sub-Inspector including KSRP & KSISF	Officers of the rank of Superintendent of Police	(i) The concerned Officer of the rank of Dy.Superintendent of Police / Assistant Commandant / DCP / Commissioner to whom the Police Officer is subordinate at the time of taking action under these rules (ii) The concerned Officer of the rank of Superintendent of Police / Commissioner to whom the Police Officer is subordinate at the time of taking action under these rules	(a) (i) to (iii) (b) (i) to (iv)	Superintendent of Police / Commandant / Commissioner / DG & IGP Inspector General of Police / Deputy Inspector General of Police / DG & IGP
6	Officer of the rank of Head Constable including KSRP & KSISF	Officers of the rank of Superintendents of Police	(i) The concerned Officer of the rank of the Inspector of Police / Assistant Commandant / Commandant / DCP / Commissioner to whom the Police Officer is subordinate at the time of taking action under these rules (ii) The concerned Officer of the rank of Deputy Superintendent of Police /	(a) (i) to (iii) (c) (iv) (a) (i) to (iii)	Deputy Superintendent of Police / Commandant / DIGP / Commissioner / DG & IGP Superintendent of Police / DIGP / Commissioner / DG & IGP

			<p>Commandant / DCP / Commissioner to whom the Police Officer is subordinate at the time of taking action under these rules</p> <p>(iii) The concerned Officer of the rank of Superintendent of Police / Commissioner to whom the Police Officer is subordinate at the time of taking action under these rules</p>	(b) (i) to (iv)	Inspector General of Police / Deputy Inspector General of Police / DG & IGP
7	Officer of the rank of Police Constables including KSRP & KSISF	Officers of the rank of Superintendents of Police	<p>The concerned Officer of the rank of the Inspector of Police / Deputy Commandant / Assistant Commandant / Commandant / DCP / Commissioner to whom the Police Officer is subordinate at the time of taking action under these rules</p> <p>(ii) The concerned Officer of the rank of Deputy Superintendent of Police // Commandant / DCP /</p>	<p>(c) (i) to (iii)</p> <p>(c) (iv) (a) (i) to (iii)</p>	<p>Deputy Superintendent of Police / Assistant Commandant / Commandant / DIGP / Commissioner / DG & IGP</p> <p>Superintendent of Police</p>

			Commissioner to whom the Police Officer is subordinate at the time of taking action under these rules		/ DIGP / Commissioner / DG & IGP
			(iii)The concerned Officer of the rank of Superintendent of Police / Commissioner to whom the Police Officer is subordinate at the time of taking action under these rules	(b) (i) to (iv)	Inspector General of Police / Deputy Inspector General of Police / DG & IGP
8	Officer of the rank of Followers Jamadar and Followers of KSRP / Followers of KSISF / Training	Officers of the rank of Superintendents of Police	(i) The concerned Officer of the rank of the Inspector of Police to whom the Police Officer is subordinate at the time of taking action under these rules	(a) (i) to (iii)	Deputy Superintendent of Police / Assistant Commandant
			(ii) The concerned Officer of the rank of Deputy Superintendent of Police to whom the Police Officer is subordinate at the time of taking action under these rules	(c) (iv) (a) (i) to (iii)	Superintendent of Police / Commandant
			(iii)The concerned Officer of the rank of Superintendent	(b) (i) to (iv)	Inspector General of Police / Deputy

			of Police to whom the Police Officer is subordinate at the time of taking action under these rules		Inspector General of Police
9	Officers of the rank of Band Masters in Government Orchestra (English and Kannada Band) (PI Rank)	Officers of the rank of Deputy Inspector General of Police	(i) The concerned Officer of the rank of Superintendent of Police to whom the Police Officer is subordinate at the time of taking action under these rules (iii) Officer of the rank of Additional Commissioner of Police or the concerned Deputy Inspector General of Police to whom the Police Officer is subordinate at the time of taking action under these rules	(a) (i) to (ii) (a) (iii) (b) (i) to (iv)	Inspector General of Police / Deputy Inspector General of Police DG & IGP
10	Officer of the rank of Assistant Band Master in Government Orchestra (English and Kannada Band) (SI Rank)	Officers of the rank of Deputy Inspector General of Police	(i) The concerned Officer of the rank of Superintendent of Police to whom the Police Officer is subordinate at the time of taking action under these rules	(a) (i) to (iii)	Inspector General of Police / Deputy Inspector General of Police

			(ii) Officer of the rank of Deputy Inspector General of Police to whom the Police Officer is subordinate at the time of taking action under these rules	(b) (i) to (iv)	DG & IGP
11	Officers of the rank of Musicians (English and Kannada Band) (PC/HC Rank)	Officers of the rank of Superintendent of Police	(i) The concerned Officer of the rank of Deputy Superintendent of Police to whom the Police Officer is subordinate at the time of taking action under these rules (ii) The concerned Officer of the rank of Superintendent of Police to whom the Police Officer is subordinate at the time of taking action under these rules	(c) (iv) (a) (i) to (iii) (b) (i) to (iv)	Superintendent of Police Inspector General of Police / Deputy Inspector General of Police